

AUG 01 2006

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

FOR THE NINTH CIRCUIT

JESUS RAMON RODRIGUEZ LOPEZ;
MARIA DEL SOCORRO QUINONES
MENDOZA,

Petitioners,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 05-71934

Agency Nos. A75-755-356
A75-755-358

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted July 24, 2006**

Before: ALARCÓN, HAWKINS and THOMAS, Circuit Judges.

Jesus Ramon Rodriguez Lopez and his wife Maria del Socorro Quinones
Mendoza, natives and citizens of Mexico, petition for review of an order of the

* This disposition is not appropriate for publication and may not be
cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without
oral argument. *See* Fed. R. App. P. 34(a)(2).

Board of Immigration Appeals dismissing their appeal from an immigration judge's ("IJ") order denying their applications for cancellation of removal. We dismiss the petition for review.

We lack jurisdiction to review the agency's discretionary determination that the petitioners failed to show exceptional and extremely unusual hardship. *See Romero-Torres v. Ashcroft*, 327 F.3d 887, 890 (9th Cir. 2003).

The petitioners contend that the IJ violated their due process rights by refusing to grant a continuance. This claim is not colorable because there is no evidence in the record that the petitioners requested a continuance. *See Martinez-Rosas v. Gonzales*, 424 F.3d 926, 930 (9th Cir. 2005) (to be colorable, the claim must have some possible validity).

The petitioners' contention that the agency violated their due process rights by disregarding their evidence of hardship is also unavailing. *See id.*

("[t]raditional abuse of discretion challenges recast as alleged due process violations do not constitute colorable constitutional claims that would invoke our jurisdiction.").

PETITION FOR REVIEW DISMISSED.